

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JANUARY 20, 1999
7:00 P.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)

Absent: Council Members – None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Public Works Director Prima, Community Development Director Bartlam, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Pastor Ron Carlson, Fairmont Seventh Day Adventist Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Land.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Police Chief Hansen made a special presentation of a plaque honoring Officer Rick Cromwell to his widow, Mrs. Cindy Cromwell, and to his parents, Chuck and Mary Cromwell. Further, presentations of Certificates of Appreciation also were made to the two citizens (although not in attendance), Billy Jo Layton and James F. Panis who, at the scene of Officer Cromwell's accident, lifted the motorcycle off of him. Additionally, Citizen Award Medals were presented to the two citizens, Don Irvin and Lisa Donati who, at the accident scene, administered CPR to Officer Cromwell and notified the Department of the accident via police radio.
- b) Community Improvement Officer Wood made a brief presentation regarding a new program designed to acknowledge the efforts and positive accomplishments of property owners, residents and apartment and property managers in combating blight throughout the City. Mayor Land presented the program's very first recipients, Michael and Joanne Meek, with the Community Improvement Award.
- c) Agenda item #D-3(a) entitled, "Presentation by the Stockton Ports" was pulled from the agenda and will be brought back at the February 3, 1999 City Council meeting.
- d) Charlie Tyler with the Greater Lodi Area Youth Commission acknowledged the Teen of the Month, Chris Morita from Tokay High School, and the Honorary Teen of the Month, Toni Hoang from Tokay High School.
- e) Dennis Bennett, Chairman of the Old Lodi Union High School Site Foundation, presented Mayor Land with a check in the amount of \$75,000 toward repayment of the loan on the Performing Arts and Conference Center at Hutchins Street Square.
- f) Paul Donovan, representing the Lodi Rotary Club, presented Mayor Land with a check in the amount of \$2,500 toward repayment of the City's loan for Van Buskirk Park improvements.
- g) Rob Lechner, Chairman of the Year 2000 Steering Committee, announced the two winners of the Track A Place Mat Contest, Glenn Laforteza and Kelsey Skaggs. Mayor Land, Mr. Lechner, and Alice Reimche, staff liaison to the Year 2000 Steering Committee, presented each winner with a Gift Certificate from Barnes & Noble in the amount of \$50 and with a Certificate of Recognition.

- h) Alice Reimche, staff liaison, to the Year 2000 Steering Committee, made a brief presentation regarding the *Ready. . .Set. . .Go! – Lodi 2000 Family Event* scheduled for Saturday, January 23, 1999.
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5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Hitchcock second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- a) Claims were approved in the amount of \$6,958,457.89.
- b) The minutes of December 15, 1998 (Special Meeting), December 16, 1998 (Regular Meeting), January 5, 1999 (Special Meeting) and January 12, 1999 (Special Meeting) were approved as written.
- c) Adopted Resolution No. 99-01 awarding the bid for the purchase of four sizes of electrical cable to the low bidders as follows:
- | | |
|--|--------------------|
| 20,000 ft #2/0 15kV Underground Primary | \$23,187.80 |
| 8,000 ft #750 600V XHHW Aluminum | <u>\$10,533.64</u> |
| <u>Pirelli Cable Company, Colusa, CA</u> | \$33,721.44 |
| 10,000 ft #1/0 600V Underground Triplex | \$ 6,637.40 |
| 20,000 ft #350 600V Underground Triplex | <u>\$30,945.80</u> |
| <u>Western States Electric, Portland, OR</u> | \$37,583.20 |
- d) Adopted Resolution No. 99-02 awarding a contract to produce and deliver printed envelopes, as required by the City during calendar year 1999, to the 1997-98 contractor, Envelope Products Company of Vallejo, in the amount of \$11,892.21.
- e) Adopted Resolution No. 99-03 awarding the contract for 1999 Sidewalk Repair Program and Miscellaneous Concrete Work to Popuch Concrete Contracting, Inc., of Lodi, in the amount of \$64,825.00, and appropriated funds in accordance with staff recommendation.
- f) Agenda item #E-6 entitled, "Award contract for Granular Activated Carbon (GAC) Filter Systems for Wells No. 18 and 20" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- g) Adopted Resolution No. 99-05 accepting the development improvements for Bangs Ranch, Unit No. 3, Tract No. 2869.
- h) Adopted Resolution No. 99-06 accepting the improvements under Industrial Substation Transformer #3 Addition contract and directed the Electric Utility Director to file a Notice of Completion with the County Recorder's Office.
- i) Approved the establishment of the Lodi Residential Energy Efficient Refrigerator Rebate Program, a component of the Public Benefits Program administered by the City of Lodi Electric Utility Department, and approved a maximum of \$75,000 for the program.
- j) Agenda item #E-10 entitled, "Award agreement for a major revision to the City's Zoning Ordinance to the firm of Crawford, Multari & Clark, Associates" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.

- k) Authorized the Community Development Department to reallocate \$100,000 of the \$128,131.91 in Federal HOME Funds currently allocated to the Rental Rehabilitation Program, to the Down Payment Assistance and Owner Occupied Housing Rehabilitation Programs.
- l) Agenda item #E-12 entitled, "Authorize issuance of Request for Qualifications for design of Downtown park-and-ride structure at old railroad depot site" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- m) Authorized the City Manager to execute a professional services contract with J-Mar Services to prepare the plans and specifications for a Compressed Natural Gas (CNG) station at the Municipal Service Center (MSC), and appropriated funds in accordance with staff recommendation.
- n) Adopted Resolution No. 99-07 approving the Program Supplement to the Administering Agency-State Agreement for Federal-aid Projects No. 10-5154 for preliminary engineering for the Stockton Street Reconstruction, Tokay Street to Lodi Avenue project, and appropriated funds for the preliminary engineering.
- o) Authorized the City Manager to execute an agreement with Wenell Mattheis Bowe, of Stockton, for the design of the Loel Center Bus Stop Shelter; executed an agreement for Sheila Ghidini, of San Francisco, for the "Art in Public Places" component of the shelter; and appropriated funds in accordance with staff recommendation.
- p) Authorized the Purchasing Officer to negotiate with FleetStar for the purchase of a used natural gas compressor and storage vessels.
- q) Agenda item #E-17 entitled, "Authorize City Manager to execute lease agreement with AirTouch Cellular at water tower, 125 North Stockton Street" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- r) Adopted Resolution No. 99-08 authorizing the City Manager to submit the Bicycle Lane Account (BLA) Grant Application for the Lodi Lake Bike Trail.
- s) Adopted Resolution No. 99-09 approving the destruction of certain records retained by the Police Department in excess of five years of age.
- t) Adopted Resolution No. 99-10 approving the destruction of certain records retained by the City Clerk's office.
- u) Set Public Hearing for February 3, 1999 to review Cost Report for City Weed Abatement Program for 1998 and to hear any objections of the property owners liable to be assessed for the abatement.

6. ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- a) Agenda item #E-6 entitled, "Award contract for Granular Activated Carbon (GAC) Filter Systems for Wells No. 18 and 20".

Public Works Director Prima informed the City Council that as a part of the City of Lodi's DBCP litigation settlement, money was received to pay for the design and construction of Granular Activated Carbon (GAC) Filters at water well sites 18 and 20. Well 18 is located at the intersection of Church Street and Century Boulevard. Well 20's address is 2126

West Kettleman Lane. The settlement agreement also stated that the City must install GAC filters at water well sites 18 and 20 before the City would receive any further funding for GAC filters at other water well sites. The GAC vessels will be a "low profile" design similar to the vessels at Well 16 (Beckman Park).

Plans and specifications for this project were approved on December 18, 1996, when Council approved the hiring of Brown and Caldwell to prepare the plans and specifications. The City received the following eleven bids for this project:

Bidder	Location	Bid
Engineer's Estimate		\$925,000
Rutherford & Smith	Sacramento	\$731,755
Northwestern Resources	Red Bluff	\$739,000
Conco West	Manteca	\$746,500
Pacific Mechanical	Concord	\$759,000
Auburn Constructors	Sacramento	\$785,300
Diede Construction	Woodbridge	\$788,000
Arrow Trenchless	Sacramento	\$799,997
HK Merron	Rancho Cordova	\$834,883
Kirkwood Bly	Santa Rosa	\$849,000
Falco Construction	Stockton	\$871,542
Engineering Systems	Corona	\$926,243

Council Member Nakanishi requested this brief synopsis of the project in order to better inform the public.

The City Council, on motion of Council Member Pennino, Nakanishi second, unanimously adopted Resolution No. 99-04 awarding the contract for Granular Activated Carbon (GAC) Filter Systems for Wells No. 18 and 20 to Rutherford and Smith, of Sacramento, in the amount of \$731,755, and appropriated funds in accordance with staff recommendation.

- b) Agenda item #E-10 entitled, "Award agreement for a major revision to the City's Zoning Ordinance to the firm of Crawford, Multari & Clark, Associates".

Community Development Director Bartlam reminded the City Council that the City's zoning ordinance was originally adopted in 1952. While the ordinance has been amended numerous times in the past 47 years, the basic format and language of the document has remained unchanged. Because there has not been a comprehensive revision of the zoning ordinance, the document has become increasingly difficult for both the public and staff to work with and understand. The ordinance is difficult to interpret, has internal inconsistencies and does not always reflect current planning practices or community values.

In order to resolve these problems, the City has determined that a comprehensive revision of the zoning ordinance is required. The City Council has agreed and this task was budgeted as a part of the City's 1997-1999 Financial Plan and Budget as a Major City Project to be started during this period. An estimated time frame of 18 months was given for this project.

The Community Development Department has prepared a Request for Proposal (RFP) that was sent to a dozen Northern California planning firms that do this type of work. From this list, and after an interview consisting of the Community Development Director, Public Works Director, Economic Development Coordinator and Senior Planner, City staff selected the firm of Crawford, Multari & Clark, Associates of San Luis Obispo, California. This firm has extensive experience in the preparation of zoning ordinances and has done this type of work for many jurisdictions throughout California. Staff is confident that CMC can accomplish the task and produce a zoning ordinance that will serve the City well into the next century.

The Community Development Department requested that the City Council authorize the City Manager to sign an agreement for \$111,780 with the firm of Crawford, Multari & Clark, Associates so that work can begin immediately. Staff also requested an additional \$10,000 for contingencies for a total budget of \$121,780.

Council Member Hitchcock removed this item and posed questions regarding the agreement, which were responded to by Community Development Director Bartlam.

The City Council, on motion of Council Member Hitchcock, Nakanishi second, unanimously approved the awarding of a professional services agreement to the consulting firm of Crawford, Multari & Clark, Associates for a major revision of the City's Zoning Ordinance.

- c) Agenda item #E-12 entitled, "Authorize issuance of Request for Qualifications (RFQ) for design of Downtown park-and-ride structure at old railroad depot site".

Public Works Director Prima presented the following report.

The land the City of Lodi purchased from Union Pacific Railroad is intended to be used as a parking lot for buses and Downtown employees/shoppers. However, with the pending Amtrak service between Stockton and Sacramento, and the future potential for Altamont Commuter Express service, more parking in the vicinity of the multimodal station will be required. To accommodate more parking at the site, bound by Sacramento Street, the railroad tracks, Elm and Pine Street, staff has submitted a Letter of Intent to the Federal Highway Administration for the Transportation and Community and Systems Preservation Pilot Program. Staff has requested \$3.2 million under this program. Because Amtrak, ACE, SMART and other transit providers will be taking advantage of the parking structure, it is a Federal Transit Administration-eligible project. Currently, staff would like to pursue \$3.2 million, or 80% of the estimated project cost, from federal sources. The remaining 20% of the funds for this project is still yet unidentified. Staff is recommending constructing a three- to four-story parking structure which would include ground-floor retail space in accordance with the Downtown concept plan. Rental revenue could serve as a source to secure the remaining 20% funding.

By authorizing staff to proceed with an RFQ, the City Council sends a message to Caltrans, Lodi's administrator of federal funds, that we are ready to proceed with this project and thereby enhances the likelihood of securing the \$3.2 million that has been requested.

Council Member Hitchcock removed this matter to pose questions, which were responded to by Public Works Director Prima.

The City Council, on motion of Council Member Pennino, Hitchcock second, unanimously authorized issuance of a Request for Qualifications (RFQ) for the design of a Downtown park-and-ride structure on Sacramento Street at the old railroad depot site.

- d) Agenda item #E-17 entitled, "Authorize City Manager to execute lease agreement with AirTouch Cellular at water tower, 125 North Stockton Street".

Public Works Director Prima informed the City Council that AirTouch, who is looking for an antenna site in or near the Downtown area, recently approached the City. Staff considered using the existing radio tower at City Hall, but could not identify a suitable place for the 12-foot x 20-foot equipment building. The stadium property was also considered, but AirTouch said it was too far from the Downtown core for their needs. We settled on the Parks and Recreation yard/water tank as an acceptable site as long as the antenna could be mounted on the tower column. AirTouch proposes that three panels (8

feet tall, 1 foot wide), painted to match the tower, be installed vertically at 95 feet, just below the tank. The equipment building will be located on the ground north of the tower, inside the fenced area. Wires will run up the inside of the tower and will not be easily visible. The proposed terms of the lease include the following:

- \$550 per month, payable in advance each year.
- 4%, or CPI, annual increase, whichever is greater.
- 20-year term with three 5-year additional options.
- \$2,500 one-time processing fee.
- Provision for AirTouch participation on a square-footage pro-rated basis on costs to improve the site frontage, fencing or landscaping, not including City building improvements.

In addition, AirTouch will take out a building permit and satisfy any structural or code requirements regarding attachments to the tower.

Council Member Mann expressed a concern about the aesthetics of this installation and about how the City arrived at the proposed dollar amounts.

Following additional discussion, the City Council, on motion of Mayor Pro Tempore Mann, Hitchcock second, unanimously tabled this matter until the next City Council meeting.

7. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Land called for the Public Hearing being held pursuant to Section 147(F) of the Internal Revenue Code of 1986 on the proposal of the Northern California Power Agency (NCPA) to issue revenue bonds.

City Attorney Hays presented the following report.

NCPA issued revenue bonds in 1992 to finance the cost of construction of its combustion turbine generating station located within the City limits of Lodi at White Slough. The bonds were issued on behalf of the four NCPA members – Alameda (19.0%), Lodi (39.5%), Lompoc (5.0%) and Roseville (36.5%).

In an effort to meet the challenges associated with electric industry deregulation, the NCPA Commission has authorized and directed NCPA staff to take specific actions to reduce the costs of all NCPA projects. The single largest cost component of NCPA projects is debt service. With interest rates at historically low levels, significant cost savings have been achieved by refinancing existing NCPA project bonds in the current interest rate market. The last of the NCPA project bonds to be refinanced are the bonds associated with NCPA's combustion turbine project at White Slough.

All NCPA projects are financed with tax-exempt bonds. While tax-exempt bond financing significantly lowers project cost compared to taxable equivalents, there are certain restrictions placed on the use of projects financed in this manner. The most important of these restrictions, is the so-called private use limitations. In general, private use limitations prohibit a non-tax exempt entity from using, controlling or benefiting from the output of a tax exempt financed project. The limitation does not generally apply to transactions of 30 days or less. In the past, this limitation was of minimal importance since all projects were built with the intent of serving the current and future needs of project participants. If surplus output existed at any time, the output was sold to other tax-exempt entities or on the wholesale short-term market.

As the generation market has become more competitive, NCPA has been able to significantly lower its member power costs by engaging in market-based transactions. These market-based transactions have lead to greater opportunities for NCPA to optimize the use of its generating facilities. One such use includes possible future transactions with the newly formed California Independent System Operator (ISO), the operator of the majority of California's high voltage transmission grid. Private use limitations, however, also apply to certain transactions with the ISO.

Although we have not been able to find a way to remove private use limitations in their entirety, we have found a means by which we can refinance the debt of the combustion turbine at White Slough using tax exempt bonds while gaining the ability to enter into certain long term arrangements with the ISO. This added flexibility is achieved by issuing the bonds as "qualified 501 (c) (3) bonds". "501 (c) (3)" refers to the section in the Internal Revenue Code of 1986 relating to certain non-profit corporations, such as the ISO. The Code and the Treasury Regulations require that a public hearing be held under Section 147(f) of the Code in order for the bonds to be issued as qualified 501 (c) (3) bonds. The purpose of the public hearing is to afford the public opportunity to be heard on the question as to the nature and location of the facilities to be either financed or refinanced by the issuance of the bonds. Since the facilities are located within the City limits of Lodi and since Lodi is the major project participant, the Lodi City Council is the appropriate jurisdictional body to hold such a public hearing.

Issuance of bonds as qualified 501 (c) (3) bonds has no adverse impact on bond interest rate, debt service savings nor term of the debt service payments. The only identified impact is increased operational flexibility of the facilities. This added flexibility could result in significant decreases in the cost of power from the project above and beyond the savings associated with the refinancing of the project.

Hearing Opened to the Public

There was no one wishing to speak on this matter.

Public Portion of Hearing Closed

ACTION:

Following additional discussion, the City Council, on motion of Council Member Hitchcock, Nakanishi second, unanimously adopted Resolution No. 99-11 entitled, "A Resolution Of The Lodi City Council Approving The Issuance Of Bonds By The Northern California Power Agency (NCPA) For The Refinancing Of A Combustion Turbine Power Generating Plant Located In Lodi, California".

8. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Pennino, Hitchcock second, unanimously rejected the following claims:
1. Arthur Cohn, date of loss 9/21/98
 2. Gloria Harvey, date of loss 9/6/98
 3. Tim Konschak, date of loss 11/7/98
 4. Dorothy Schmidke, date of loss 11/12/98
 5. Rodger Patterson, date of loss 11/20/98
 6. Crystal Rieger, date of loss 4/23/98
 7. Oskar Johanson, date of loss 12/4/98
 8. Robert Casalegno, date of loss 12/03/98

Continued January 20, 1999

- b) City Clerk Reimche read the following ABC License:
 - 1. Lyon's Restaurants, Inc., Lyon's Restaurant, 233 South School Street, Lodi, On-Sale General Eating Place, Reduced Fee Transfer
- c) The following report was presented to the City Council:
 - 1. Planning Commission report of December 9, 1998
- d) The City Council, on motion of Mayor Pro Tempore Mann, Hitchcock second, unanimously directed the City Clerk to post for the following vacancies:

Year 2000 Steering Committee

Erin Ianni Unspecified term

East Side Improvement Committee

Jane Lea Term to expire March 1, 1999

- e) The City Council, on motion of Council Member Hitchcock, Nakanishi second, unanimously made the following reappointments/appointments:

Parks and Recreation Commission

Ken Sasaki	Term to expire December 31, 2002
Ed Wall, Jr.	Term to expire December 31, 2002
Robert J. Johnson	Term to expire December 31, 2002

- f) City Clerk Reimche informed the City Council that her office received a notice from Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas and Electric Company that it tendered for filing their compliance filing in accordance with Opinion No. 389-A.

9. **RECESS**

Mayor Land called for a ten-minute recess, and the City Council meeting reconvened at approximately 8:40 p.m.

10. **REGULAR CALENDAR**

- a) Agenda item #H-1 entitled, "Kettleman Lane Traffic Safety Improvements".

Public Works Director Prima informed the City Council that the Public Works Department has received several requests to make safety improvements to Kettleman Lane fronting the Vineyard Shopping Center. The purpose of this communication is to report to Council the status of plans for Kettleman Lane as well as seek Council direction. The following report addresses the existing conditions, current plans/programs, interim improvement options, long-term improvements, and recommendations.

Existing Conditions

Based on Caltrans 1997 Traffic Volumes on California State Highways, Kettleman Lane carries between 10,800 to 26,500 vehicles per day (vpd). The highest traffic volumes occur at Hutchins Street. Traffic volumes at the west end, near Lower Sacramento Road, are 10,800 vpd and the east end, near Cherokee Lane, are 18,900 vpd.

The posted speeds on Kettleman Lane are 40 mph from the west city limits to the Woodbridge Irrigation Canal (WID), and 35 mph from the WID to Highway 99.

For a three-year period, between July 1995 through June 1998, Caltrans has indicated the actual accident rate along Kettleman Lane (Lower Sacramento Road to Highway 99) is 6.48 accidents per million-vehicle-miles and similar facilities statewide have a rate of 3.02 accidents per million-vehicle-miles. Based on the city's pin map for a 5-year period, there have been a total of 111 collisions between Fairmont Avenue and 100 feet west of Hutchins Street in that same time period.

Current Plans/Programs

- Lodi Police Department – Enforcement Currently, the Lodi Police Department is providing enhanced enforcement on Kettleman Lane to reduce the high number of speed and right-of-way violations. The Police Department has indicated they issued approximately 90 citations on Kettleman Lane during an enhanced enforcement day in December 1998. During these enforcement days, all motor officers concentrate their efforts to reduce certain types of collisions.
- California Highway Patrol (CHP), Highway 12 Safety Task Force and Office of Traffic Safety (OTS) Grant In October 1998, the CHP established a task force to identify and address traffic safety issues on State Route 12, between Interstate 80 and State Route 88 in San Joaquin County. This project is funded through a grant issued to the CHP by the OTS. CHP is working with the Lodi Police Department on a contract (\$19,232) for additional enhanced enforcement and equipment using the OTS funds. The Police Department will be bringing this item to Council in the near future.
- Hazard Elimination and Safety (HES) Program Project In May 1998, the Public Works staff requested funds from Caltrans for raised medians on Kettleman Lane, between Fairmont Avenue and Hutchins Street, and a signal at Kettleman Lane and Crescent Avenue. Staff has been told informally that funding for this project is earmarked for the 2000/2001 cycle. The HES Program provides funds for safety improvements on all public roads and highways. The funds serve to eliminate or reduce the number and severity of traffic accidents at hazardous highway locations. The total estimated cost of this project is \$220,000. Caltrans has indicated the raised median would need to extend from Ham Lane to Hutchins Street since both intersections are signalized. Additional left-turn "in only" openings in the raised median could be considered with a detailed operating analysis.
- Vineyard Shopping Center Notification about Signal at Crescent Avenue In April 1998, staff sent a letter and sketch, as shown in Exhibit A, to all the shopping center property owners requesting comments on a possible new signalized access at the Crescent Avenue intersection. Staff suggested a meeting to discuss timing and possible cost sharing for this project. Staff received little response from the property owners.
- San Joaquin County Council of Governments (SJCOG), Route 12 in San Joaquin County Corridor Study In February 1995, SJCOG undertook the Route 12 Corridor Study. The purpose of this study was to examine traffic and travel conditions on Route 12 from the Sacramento County line to the Calaveras County line, and identify and prioritize long-range improvement alternatives. An oversight committee was formed with representatives from Caltrans, San Joaquin County, City of Lodi Public Works, Highway 12 Association, and SJCOG staff. The study was completed in June 1997 and recommended Highway 12, from the west city limits to Route 99, be widened and restriped to six lanes and a signal be installed between Ham Lane and Hutchins Street. This project was in the Priority A category which contains projects in need of improvements by year 2010.

Interim Improvement Options

Since Kettleman Lane is a State Highway, Caltrans is owner and operator of this facility. Staff has been working with Caltrans on several issues regarding Kettleman Lane for years. Recently, staff arranged to meet with Caltrans District 10 Deputy Director and Safety Engineer to discuss ultimate and interim safety improvements. Due to the high accident rate, Caltrans is willing to make safety improvements; however, since these will reduce existing access, Caltrans requested the City hold a meeting to receive public comment. The interim improvements, listed below, can be installed immediately.

Option 1 Painted Median between Ham Lane and Hutchins Street

This option would restrict all the left-turning movements entering and exiting the driveways and can be installed early this year. This would eliminate left-versus-through collisions at all Vineyard Shopping Center driveways as well as at the Beckman Ranch Shopping Center and other driveways on the north side. A variation of this option is to allow left turns in (but not out) of the shopping centers at one or more driveways.

The disadvantage is that all exiting traffic will be restricted to right-turn movements which will increase traffic on adjacent streets. However, since the median is not raised, increased enforcement will be necessary to prohibit motorists from making illegal turning movements over the painted median.

Option 2 Install No-Parking Restrictions on the South Side from Fairmont Avenue to Hutchins Street

This option can be done immediately to improve visibility for motorists exiting the driveways. There are existing no-parking zones adjacent to the driveways which were installed based on safe stopping distances/visibility studies. Any additional no-parking would improve visibility and increase the safe stopping speeds for motorists.

The disadvantage is any vehicle wanting to park on Kettleman Lane and patronize the fast food restaurants or banks will need to use the on-site parking lots. However, in the future, parking on all of Kettleman Lane will likely be removed to accommodate the six lanes.

Long-Term Improvements

The best long-term solution is to install raised medians between Ham Lane and Hutchins Street (and eventually all of Kettleman Lane) and create a new four-legged signalized access at Crescent Avenue and the Vineyard Shopping Center. The City Council can wait until the raised medians and signal are installed or they can direct staff to request Caltrans install interim improvements. Staff discussed the variations for openings in the painted median.

Given the high traffic volumes and collision history, the existing two-way left-turn lane is not functioning well. Some traffic reference materials indicate two-way left-turn lanes work well when traffic volumes are less than 24,000 vpd with few concentrated access points, such as at shopping center driveways. Since Kettleman Lane near Hutchins Street carries over 26,000 vpd, staff recommends Caltrans pursue installing a painted median. This will provide an immediate safety improvement by eliminating the left-versus-through collisions until the signal and raised median can be installed. Adjacent roadways will experience additional traffic temporarily until ultimate improvements can be constructed. Since left turns will be restricted, this will also encourage the shopping center property owners to cooperate with the City on designing and financing the new shopping center access opposite Crescent Avenue. However, the signal and raised median project should proceed with or without the new access. Staff will continue to work with the shopping center property owners and proceed with plans to install the raised

medians and signal. Staff has also requested Caltrans move the raised median and signal project to an earlier year. It would be helpful if the Council formally made this request.

Recommendations

Staff recommended that Council take the following actions:

- Request that Caltrans install a painted median at the appropriate locations on Kettleman Lane, allowing left turns "in only" where practical.
- Approve no-parking zones on the south side of Kettleman Lane between Ham Lane and Hutchins Street.
- Request that Caltrans provide funding for the Crescent Avenue signal/median project as soon as possible.

Addressing the City Council regarding the matter were the following persons:

1. Vic Heinrichs, 19378 Rosewood Way, Woodbridge, indicated that he was a licensed contractor who owns a company that stripes parking lots, installs signage, etc. He implied that he would be willing, with the permission of the property owners, to install no left turn signs on the three parking mall exits of concern at no cost to the City. He indicated that it would take only three days for him to complete this work.

It was pointed out that before the City could take him up on his generous offer, it had to ensure that all legal requirements for such signage was in place.

2. Ken Jeffers, 2145 West Kettleman Lane, #329, Lodi.
3. Wilbert Ruhl, 265 Almond Drive, Lodi.
4. John Sutphin, 321 East Century Boulevard, Lodi.

A lengthy discussion followed by the City Council with questions being directed to staff.

The City Council, on motion of Council Member Pennino, Nakanishi second, unanimously approved requesting that Caltrans install a painted median at the appropriate locations on Kettleman Lane, allowing left turns "in only" where practical, and that Caltrans provide funding for the Crescent Avenue signal/median project as soon as possible.

Further, the City Council, on motion of Council Member Hitchcock, Land second, approved requesting that Caltrans install no-parking zones on the south side of Kettleman Lane between Ham Lane and Hutchins Street by the following vote:

Ayes: Council Members – Hitchcock, Mann, Nakanishi and Land (Mayor)

Noes: Council Members – Pennino

Absent: Council Members – None

11. RECESS

Mayor Land called for a five-minute recess, and the City Council meeting reconvened at approximately 10:25 p.m.

12. REGULAR CALENDAR (Continued)

- a) Agenda item #H-2 entitled, "Master Plan for Bozant 'Bo' Katzakian Park".

Parks and Recreation Director Williamson informed the City Council that the Parks and Recreation Department held a public workshop on August 20, 1998 to solicit public input for this park on the conceptual master plan developed by staff. A second presentation was made by staff at the annual homeowners association meeting on October 27, 1998 where staff presented the proposed plan to all the residents of the development. A final public presentation was made by staff to the Parks and Recreation Commission on November 5, 1998 to approve the plan and move it forward for City Council approval.

The master plan to be presented to Council for approval has incorporated those features developed through the public comment meetings and in keeping with the needs of the department. Two elements requested at the meetings are not incorporated in the plan and will be discussed during the presentation by staff. One of these elements, a fence along Turner Road, was requested by property owners and recommended by the Parks and Recreation Commission with a 3-2 vote. The Commission also recommended on a 3-2 vote to include a restroom. Department staff does not recommend either of these elements.

Staff does recommend the following features for this 5.5 acre park: an 18-space off-street parking lot; tot lot with play equipment; covered picnic shelter; basketball court; practice softball diamond with overlapping soccer field; area for portable restrooms; individual picnic tables and barbecues; bike rack; benches; drinking fountain; open play fields; and a well site. The site is mounded along Turner Road as well as internally to create spaces and visual barriers.

The park as designed is estimated to cost \$480,000 with funds available through park impact fees. The schedule for development is as follows:

Council approval of master plan:	January 20, 1999
Construction drawings and specifications by staff:	January-February
Authorization for advertisement of bids:	March
Awarding of contract:	May

Addressing the City Council regarding this matter were the following persons:

1. Fred Baker, 317 West Lodi Avenue, Lodi.
2. Jeffrey J. Zarifis, 1108 Waterford Way, Lodi.

Following discussion, the City Council, on motion of Mayor Pro Tempore Mann, Pennino second, unanimously approved the master plan for Bozant "Bo" Katzakian Park as presented by staff with the following two exceptions: 1) that no fence be installed along Turner Road and 2) that a permanent restroom facility be installed using the cost savings from not including the fence.

13. VOTE TO CONTINUE WITH THE MEETING FOLLOWING THE 11 P.M. HOUR

Pursuant to the Lodi Municipal Code, the City Council, on motion of Mayor Pro Tempore Mann, Hitchcock second, unanimously voted to continue with the remainder of the meeting following the 11:00 p.m. hour.

14. REGULAR CALENDAR (Continued)

- a) Agenda item #H-3 entitled, "Report on Evergreen Drive at Elm Street Intersection Study".

Public Works Director Prima presented the following report.

The intersection of Evergreen Drive and Elm Street has been studied based on concerns received related to traffic congestion and pedestrian safety.

The intersection of Evergreen Drive and Elm Street is a "T" intersection, with Elm Street terminating at Evergreen Drive. Elm Street traffic is controlled by a stop sign and Evergreen Drive traffic is not controlled. A marked crosswalk was installed across Elm Street and across the south leg of Evergreen Drive in March of this year. Traffic volumes entering the intersection on Elm Street and Evergreen Drive are 1,105 and 1,920 vehicles per day, respectively. These counts were performed on a weekday and include the additional traffic generated at the park due to soccer practice. Available accident records for the four-plus years from 1994 to the present indicate that there have been two accidents at the intersection, both occurring in 1994. Both of these accidents were solo-vehicle accidents occurring during daylight hours; the drivers failed to stop at the posted stop sign on Elm Street at Evergreen Drive, striking the curb in front of the park. One of the drivers was intoxicated, and the other was only 15 years old. Based on these accidents, a warning sign was installed at the west end of Elm Street in May 1995. There have been no accidents at the intersection since that time.

Staff's field review of the area adjacent to the intersection of Evergreen Drive and Elm Street indicated that high pedestrian activity and vehicle congestion problems occur primarily during sporting events at Peterson Park. As this neighborhood park has no parking lot, parking demand in the adjacent residential area is high, and there are a number of pedestrians crossing at various locations along Evergreen Drive. Staff also observed that due to the congested conditions, vehicles were traveling very slowly and drivers were yielding to the pedestrians crossing the street.

STUDY RESULTS

The intersection of Evergreen Drive and Elm Street was reviewed for the installation of multi-way stop controls. State of California Department of Transportation (Caltrans) guidelines are used when considering the installation of multi-way stop controls. These guidelines consider traffic volumes, accident history, and critical (85th percentile) speeds. These guidelines are not met.

Staff also considered other actions that would improve conditions at the intersection, such as driver and pedestrian visibility. The visibility of drivers stopped on Elm Street at Evergreen Drive can be improved by restricting parking adjacent to the intersection. Also, the removal of parking immediately adjacent to the marked crosswalks will improve pedestrians' ability to see approaching vehicles, as well as the ability of drivers to see pedestrians.

RECOMMENDATION

Based on the relatively low traffic volumes, lack of an accident problem, and short congestion periods, staff does not recommend the installation of multi-way stops at this intersection. A multi-way stop control is also likely to lengthen the period of congestion by increasing the time it takes drivers to make drop offs and pick ups because all vehicles will be required to stop at the intersection. However, we do feel that restricting parking in some areas will enhance safety during the congested periods without affecting traffic flow at other times of the day. Based on these factors, we will be installing no-parking zones adjacent to the intersection and marked crosswalks. Per Section 10.44.020(F) of the Traffic Ordinance, the Public Works Director has the authority to install lengths of no-parking zones up to 20 feet without Council approval; therefore, no City Council action is needed.

As an additional measure to reduce parking congestion and aid pedestrian safety during sporting events, Council may wish to consider expanding the small paved area at the north end of the park to provide an on-site parking lot. A parking lot can be accommodated within the area between the fence and Evergreen Drive. The example shown, utilizing the existing driveway for the pump station, provides twenty-five parking stalls. The lot will require the relocation of some picnic tables and immature trees. If the addition of a parking lot is going to be considered, it should either be constructed while the immature trees can still be moved or the trees should be moved now to accommodate the future lot. A more detailed layout and cost estimate can be prepared for presentation at a future meeting at Council's request.

This matter was for information only, and there was no Council action required.

15. ORDINANCES

- a) None.

16. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Frank Hall, 1419 Lake Street, Lodi, addressed the City Council regarding property that he owns at 15 West Elm Street in which the City of Lodi has indicated an interest in purchasing. Mr. Hall gave background information regarding his negotiations for this property with the City and stated that he felt the fair market value of his property is \$53,500, which he would find acceptable at this time.

Several members of the City Council posed questions to Mr. Hall regarding the subject.

- b) Philip D. White, 411 Evergreen Drive, Lodi, and owner of property located at 232 South Hutchins Street, Lodi, presented the City Council with a petition signed by approximately 33 residents living in the area of the Jack-In-The-Box Restaurant located on the northeast corner of the intersection of Lodi Avenue and Hutchins Street which reads as follows:

"We, the undersigned residents and property owners of the neighborhood adjacent to the Jack-In-The-Box Restaurant located on the northeast corner of the intersection of Lodi Avenue and Hutchins Street, do hereby inform and petition the City of Lodi as follows:

Since Jack-In-The Box Restaurant changed its hours to include all-night window service on weekends, the neighborhood has suffered from excessive noise, dangerous conditions, property destruction, and great personal distress and inconvenience to local residents. This has resulted from an undesirable element being drawn into the area with a total lack of supervision or controls to maintain proper and legal peace, order and quiet. Crowds of juveniles drinking alcoholic beverages, yelling obscenities, fighting, honking car horns, playing loud music and 'boom boxes' and otherwise disturbing the peace have become commonplace on weekend nights. This situation must be corrected!

The City of Lodi is hereby petitioned to restrict the hours of legal operation of said Jack-In-The-Box restaurant to no later than 11 p.m. on Sunday through Thursday nights and no later than 12 midnight on Friday through Saturday nights."

- c) Hal Jones, 235 South Hutchins Street, Lodi, also spoke about the Jack-In-The Box Restaurant located on the northeast corner of the intersection of Lodi Avenue and Hutchins Street.
- d) Larry Nathan, 247 ½ Lee Avenue, Lodi, also expressed opposition to the business hours of Jack-In-The Box.

Continued January 20, 1999

Mayor Land and other members of the City Council indicated their concern for the plight of these citizens and directed that the matter be brought to the attention of the Police Department and any other City department having authorization in dealing with complaints of this type. It was requested that a list of options be made available to the City Council regarding this matter at the next Council meeting.

17. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

None.

18. CLOSED SESSION

Mayor Land adjourned the City Council meeting at 11:45 p.m. to a Closed Session to discuss the following matters:

- a) Actual litigation: Government Code §54956.9(a). One case. Anna Lopez v. City of Lodi, San Joaquin County Superior Court, Stockton Branch, Case No. CV 005447
- b) Prospective acquisition of two potential real property sites for Fire Station at Lockeford and School Streets (APN #043-023-04) and at Lockeford and Hutchins Streets (APN #037-260-01, 02 and 03), the negotiating parties are the City Manager and Tokay Players, Inc., a California Corporation (Parcel 04); Ione Taunton Tr. (Parcel 03); and Oskar & Beverly Hess Tr. (Parcels 01 and 02). Negotiators to discuss price and terms of payment. Government Code §54956.8.
- c) Pursuant to Government Code §54956.9(c). Conference with legal counsel. Anticipated litigation / initiation of litigation regarding 15 West Elm Street, Lodi, CA (APN #043-026-11). One potential case.

19. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 12:40 a.m., and Mayor Land disclosed that there was no final action taken in these matters.

20. ADJOURNMENT

There being no further business to come before the City Council, Mayor Land adjourned the meeting at approximately 12:40 a.m., Thursday, January 21, 1999.

ATTEST:

Alice M. Reimche
City Clerk